



March 1, 2021

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

Re: *IBFS File No.SAT-MOD-20200417-00037*

Dear Ms. Dortch:

This is to inform you that on February 25-26, 2021, representatives from Space Exploration Holdings, LLC ("SpaceX") had conference calls with the offices of Commissioner Carr, Commissioner Starks, and Commissioner Simington. A full list of attendees is provided in Attachment A. SpaceX discussed its proposed modification to be able to launch the rest of its satellites to safer operating altitudes.

When granting SpaceX's request in 2019 to lower the altitude of SpaceX's first 1,584 satellites, the Commission recognized that "[i]f the proposed modification does not present any significant interference problems and is otherwise consistent with Commission policies, it is generally granted."¹ Through several rounds of extensive analysis over the past ten months, SpaceX has demonstrated definitively that its pending safety upgrade will not "present any significant interference problems" for other satellite operators or terrestrial licensees—just as the Commission found for the first half of this upgrade in 2019.

Having failed to show that SpaceX's safety upgrade would cause a significant increase in interference, SpaceX's competitors have now resorted to working to delay Commission approval through a concerted effort of voluminous untimely filings. The vast majority of these filings are mere repetitions of discredited analysis and misapplication of the Commission's straightforward rule. This misuse of Commission resources in an effort to harm a U.S. licensee is particularly ironic coming from the same non-U.S. operators that have so incessantly argued that they should be exempt from paying their fair share of regulatory fees. But more importantly, if these delay tactics by non-U.S. operators are successful, the result would be to leave otherwise unserved American consumers stranded with no high-quality broadband options.

¹ *Space Exploration Holdings, LLC*, 34 FCC Rcd. 2526, ¶ 9 (IB 2019) (quoting *Teledesic LLC*, 14 FCC Rcd. 2261, ¶ 5 (IB 1999)).

Other would-be competitors, like Amazon, continue to try to scrounge up new—yet still meritless—arguments nearly eleven months after SpaceX filed its application. Amazon makes no effort to explain why it could only make these untimely arguments now, just as the requested safety upgrade is ripe for approval. Meanwhile, despite the extensive resources Amazon has poured into trying to stifle competitors, it has apparently all but abandoned its own system, having failed to file its required interference analysis or debris modification. The Commission should not take seriously Amazon's demand for special treatment, especially so long as Amazon refuses to take seriously the requirements the Commission imposed on Amazon's own license.

Finally, SpaceX explained that despite nearly a year's worth of claims by the MVDDS licensees that SpaceX's safety upgrade would prevent the Commission from handing them the 12 GHz band for free, they remain unable to provide *any* technical showings to back up their claims. They also fail to explain why SpaceX's modification could make any difference, when other NGSOs are already licensed with wider beams and at lower elevation angles in the 12 GHz band. In fact, these are the same MVDDS licensees that claimed for years that their demands were incompatible with *any* NGSO operation in the band. Tellingly, they made these claims right up until SpaceX filed its modification.

SpaceX continues its rapid deployment of its next-generation satellite system and is already bringing high-throughput, low-latency broadband service to otherwise unserved Americans across the country. To ensure that this much needed service is not delayed, SpaceX urges the Commission to expeditiously grant the application.

Sincerely,

/s/ David Goldman

David Goldman
Director of Satellite Policy

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Attachment

ATTACHMENT A

Office of Commissioner Carr

Commissioner Carr

Ben Arden

Greg Watson

Office of Commissioner Starks

William Davenport

Office of Commissioner Simington

Commissioner Simington

Erin Boone

SpaceX

Tim Hughes

David Goldman